

# **CIVIL LAWSUIT**

## **SUING SOMEONE FOR AT LEAST \$10,000**

**YOU MUST RESEARCH THE LAW** to fill out this packet correctly. See the Instructions for details.

**If the person you want to sue is on active duty with the military, you cannot use this packet. An attorney can help you.**

Before signing a court document or getting involved with a court case, it's important to see an attorney to make sure you understand your legal rights and responsibilities. The Self-Help Center has information on finding an attorney.

## INSTRUCTIONS

### **STEP 1: DECIDE WHAT TYPE OF LAWSUIT APPLIES TO THE DISAGREEMENT BETWEEN YOU AND THE OTHER PARTY**

Types of lawsuits are listed under “Nature of Action” on the Civil Cover Sheet in this packet.

You can research your type of lawsuit in the book *Civil Trial Practice* at the Law Library. This book also helps you decide which court to file in, how much money and interest you can sue for, and what laws support your claims.

### **STEP 2: FILL OUT THE CIVIL COVER SHEET**

You are the Plaintiff. The other party is the Defendant.

Leave the Case Number blank.

Leave the grey sections about “complex litigation” blank.

### **STEP 3: FILL OUT THE COMPLAINT**

### **STEP 4: FILL OUT THE CERTIFICATE ON COMPULSORY ARBITRATION**

### **STEP 5: FILL OUT THE SUMMONS**

### **STEP 6: FILE THE FORMS WITH THE COURT**

Take or mail the original and two copies of each form to the Clerk’s Office in the Coconino County Courthouse at 200 N. San Francisco St., Flagstaff, AZ 86001.

Also take or mail the \$254 filing fee. The Clerk’s Office accepts cash, money orders, and cashier’s checks payable to “Clerk of Superior Court”. If you can’t afford the fee, see the Self-Help Center packet *Getting Help With a Filing Fee*.

The Clerk will stamp your copies with the filing date and return them to you for your records.

**If you file by mail:** Include a self-addressed, stamped envelope and a note asking the Clerk to return the date-stamped copies to you.

### **STEP 7: SERVE THE FORMS ON THE DEFENDANT AND FILE PROOF OF SERVICE WITH THE COURT**

See the INSTRUCTIONS: SERVING FORMS ON THE DEFENDANT in this packet.

**STEP 8: WAIT FOR THE DEFENDANT TO FILE AN ANSWER**

The table below shows how long the defendant has to file a written Answer to your Complaint. Find the date listed in the “After” column. Start counting on the next day. Count off the number of days in the “Count” column, including weekends and holidays. The defendant must answer by the last date you counted, unless it’s a weekend or court holiday -- then the defendant must answer by the next workday.

Where Did You Serve?	How Did You Serve?	Count:	After:
In Arizona and not on an Indian Reservation	Waiver of Service	60 days	You mailed the defendant the Notice of Lawsuit and Request for Waiver of Service of Summons
	Process Server or Sheriff	20 days	The defendant received the papers from the process server or sheriff
	Publication	50 days	The first publication
Not in Arizona but in the U.S. and not on an Indian Reservation	Waiver of Service	60 days	You mailed the defendant the Notice of Lawsuit and Request for Waiver of Service of Summons
	Certified Mail	30 days	The defendant signed the green card
	Process Server or Sheriff	30 days	The defendant received the papers from the process server or sheriff
	Publication	60 days	The first publication
On an Indian Reservation in the U.S.*	Waiver of Service	60 days	You mailed the defendant the Notice of Lawsuit and Request for Waiver of Service of Summons
	Tribally Licensed Process Server or Tribal Law Enforcement	30 days	The defendant received the papers from the process server or officer
Not in the U.S.	see an attorney		

\*If the Papers Were Served on an Indian Reservation in Arizona: Depending on your case, the defendant might have less days to answer. An attorney can advise you.

**STEP 9: IF THE DEFENDANT FAILS TO ANSWER ON TIME:  
SEE RULE 55 OF THE ARIZONA RULES OF CIVIL PROCEDURE, ON  
DEFAULT**

With the “default” procedure, you ask the court to finish your case without the defendant’s input.

**STEP 10: IF THE DEFENDANT FILES AN ANSWER:  
SEE RULES 26-37 OF THE ARIZONA RULES OF CIVIL PROCEDURE,  
ON DISCLOSURE AND DISCOVERY**

“Disclosure and discovery” is a process where you and the other party exchange information about the case.

**STEP 11: BY 60 DAYS AFTER THE DEFENDANT FILES AN ANSWER OR 180  
DAYS AFTER YOU STARTED THE CASE, WHICHEVER COMES  
FIRST:  
COMPLETE RULE 16(B) OF THE ARIZONA RULES OF CIVIL  
PROCEDURE, ON THE JOINT REPORT AND PROPOSED  
SCHEDULING ORDER**

The “Joint Report and Proposed Scheduling Order” are forms you and the other party work on together, telling the court what’s happened in the case so far and how long you think the rest of the steps in the case should take.

**In the Superior Court of the State of Arizona  
In and For the County of Coconino**

Case Number \_\_\_\_\_

**CIVIL COVER SHEET**  
**NEW FILING ONLY**

(Please Type or Print)

Plaintiff's Attorney \_\_\_\_\_

Attorney Bar Number \_\_\_\_\_

**Plaintiff's Name(s): (List all)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Plaintiff's Address:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(List additional plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List All)

\_\_\_\_\_  
\_\_\_\_\_

(List additional defendants on page two and/or attach a separate sheet)

EMERGENCY ORDER SOUGHT: ☐ Temporary Restraining Order ☐ Provisional Remedy ☐ OSC  
☐ Election Challenge ☐ Employer Sanction ☐ Other \_\_\_\_\_  
(Specify)

☒ **RULE 8(i) COMPLEX LITIGATION DOES NOT APPLY.** (Mark appropriate box under **Nature of Action**)

☐ **RULE 8(i) COMPLEX LITIGATION APPLIES.** Rule 8(i) of the Rules of Civil Procedure defines a "Complex Case" as civil actions that require continuous judicial management. A typical case involves a large number of witnesses, a substantial amount of documentary evidence, and a large number of separately represented parties.  
(Mark appropriate box on page two as to complexity, in addition to the Nature of Action case category).

**NATURE OF ACTION**

(Place an "X" next to the one case category that most accurately describes your primary case.)

**TORT MOTOR VEHICLE:**

- ☐ Non-Death/Personal Injury  
☐ Property Damage  
☐ Wrongful Death

**TORT NON-MOTOR VEHICLE:**

- ☐ Negligence  
☐ Product Liability – Asbestos  
☐ Product Liability – Tobacco  
☐ Product Liability – Toxic/Other  
☐ Intentional Tort  
☐ Property Damage  
☐ Legal Malpractice  
☐ Malpractice – Other professional  
☐ Premises Liability

☐ Slander/Libel/Defamation

☐ Other (Specify) \_\_\_\_\_

**MEDICAL MALPRACTICE:**

- ☐ Physician M.D. ☐ Hospital  
☐ Physician D.O. ☐ Other

**CONTRACTS:**

- ☐ Account (Open or Stated)  
☐ Promissory Note  
☐ Foreclosure  
☐ Buyer-Plaintiff  
☐ Fraud  
☐ Other Contract (i.e. Breach of Contract)

☐ Excess Proceeds-Sale  
☐ Construction Defects (Residential/Commercial)  
☐ Six to Nineteen Structures  
☐ Twenty or More Structures

- ☐ Eminent Domain/Condemnation
- ☐ Forcible Detainer
- ☐ Change of Name
- ☐ Transcript of Judgment
- ☐ Foreign Judgment
- ☐ Quiet Title
- ☐ Forfeiture
- ☐ Election Challenge
- ☐ NCC- Employer Sanction Action (A.R.S. §23-212)
- ☐ Injunction against Workplace Harassment
- ☐ Injunction against Harassment
- ☐ Civil Penalty
- ☐ Water Rights(Not General Stream Adjudication)
- ☐ Real Property
- ☐ Sexually Violent Person (A.R.S. §36-3704)
- ☐ Minor Abortion
- ☐ Special Action Against Lower Courts
- ☐ Immigration Enforcement Challenge (§§1-501, 1-502, 11-1051)

☐ Administrative Review

☐ Tax Appeal

(All other tax matters must be filed in the AZ Tax Court)

☐ Declaratory Judgment

☐ Habeas Corpus

☐ Landlord Tenant Dispute- Other

☐ Restoration of Civil Rights (Federal)

☐ Clearance of Records (A.R.S. §13-4051)

☐ Declaration of Factual Innocence (A.R.S. §12-771)

☐ Declaration of Factual Improper Party Status

☐ Vulnerable Adult (A.R.S. §46-451)

☐ Tribal Judgment

☐ Structured Settlement (A.R.S. §12-2901)

☐ Attorney Conservatorships (State Bar)

☐ Unauthorized Practice of Law (State Bar)

☐ Out-of-State Deposition for Foreign Jurisdiction

☐ Secure Attendance of Prisoner

☐ Assurance of Discontinuance

☐ In-State Deposition for Foreign Jurisdiction

☐ Eminent Domain– Light Rail Only

☐ Interpleader– Automobile Only

☐ Delayed Birth Certificate (A.R.S. §36-333.03)

☐ Employment Dispute- Discrimination

☐ Employment Dispute-Other

☐ Other \_\_\_\_\_

(Specify)

If you marked the box on page one indicating that Complex Litigation applies, place an “X” in the box of no less than one of the following:

- ☐ Antitrust/Trade Regulation
- ☐ Construction Defect with many parties or structures
- ☐ Mass Tort
- ☐ Securities Litigation with many parties
- ☐ Environmental Toxic Tort with many parties
- ☐ Class Action Claims
- ☐ Insurance Coverage Claims arising from the above-listed case types
- ☐ A Complex Case as defined by Rule 8(i) ARCP

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Plaintiff's Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**COCONINO COUNTY SUPERIOR COURT**

Plaintiff's Name: \_\_\_\_\_ Case Number (*leave blank*): CV \_\_\_\_\_

**COMPLAINT**

Defendant's Name: \_\_\_\_\_  
\_\_\_\_\_

**JURISDICTION:**

This is the right court for this case because:

*Check all that apply:*

- ☐ I live in Coconino County.
- ☐ The defendant lives in Coconino County.
- ☐ The defendant does business in Coconino County.
- ☐ The events, actions, or debts this Complaint is about took place in Coconino County.
- ☐ Other:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If I'm asking for money, it's for at least \$10,000.

*Do not list anyone's social security number or financial account numbers on this form. If you want the court to know those numbers, list just the last four digits.*

### MY CLAIMS:

I'm filing this Complaint because of these events, actions, or debts: *(attach more paper if needed)*

[illegible]

### **LAWS SUPPORTING MY CLAIMS:**

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page, leaving small gaps between them. There are no margins, text, or other markings on the paper.



**REQUEST FOR RELIEF:**

Monetary Relief:

*If you're not asking for money, leave this "Monetary Relief" section blank.*

Because of these claims, I ask the court to order the Defendant to pay me \$ \_\_\_\_\_

☐ I also ask the court to order the Defendant to pay me interest on that amount. Interest should be:

- ☐ 10% based on A.R.S. 44-1201  
☐ this other amount: \_\_\_\_\_%

Interest should start accruing on:

- ☐ the date the judge signs the judgment in this case  
☐ this date: \_\_\_\_\_, which is when the loss happened or the debt was due

Relief Other Than Money:

I also ask the court to order:

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**VERIFICATION:**

I have read this Complaint. All the statements in it are true, correct, and complete to the best of my knowledge and belief.

My Signature: \_\_\_\_\_

State of Arizona )

)

County of \_\_\_\_\_ )

Subscribed and sworn before me this date: \_\_\_\_\_ by: \_\_\_\_\_

Seal:

Notary Public: \_\_\_\_\_

Notary Expiration Date: \_\_\_\_\_

***What is Arbitration?*** Some cases must go to “arbitration” as a first step in the case. Arbitration is a meeting outside of court to resolve disagreements. It is held before an arbitrator instead of a judge. This form tells the court and the parties whether arbitration is required in your case.

Plaintiff's Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**COCONINO COUNTY SUPERIOR COURT**

Plaintiff's Name: \_\_\_\_\_ Case Number (*leave blank*): CV \_\_\_\_\_

\_\_\_\_\_  
Defendant's Name: \_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATE ON COMPULSORY  
ARBITRATION**

**In my Complaint:**

*Check each statement that's true:*

- A. ☐ I only asked for money and I did not ask for any other kind of relief.  
B. ☐ I asked for at least \$65,000.

**Compulsory Arbitration:**

*If you checked both A and B, check “Yes”.*  
*If you did not check both A and B, check “No”.*

☐ Yes ☐ No: This case is subject to compulsory arbitration.

The undersigned certifies that he or she knows the dollar limits and any other limitations set forth by the local rules of practice for the applicable superior court, and further certifies above whether this case is subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Plaintiff's Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**COCONINO COUNTY SUPERIOR COURT**

Plaintiff's Name: \_\_\_\_\_ Case Number (*leave blank*): CV \_\_\_\_\_

**SUMMONS**

Defendant's Name: \_\_\_\_\_  
\_\_\_\_\_

THE STATE OF ARIZONA TO (*enter Defendant's name*): \_\_\_\_\_

The Plaintiff has filed a Complaint against you. You must file an Answer with this court by 20 days after the Summons and Complaint were served on you (or 30 days if you were served outside Arizona). You must file your Answer and the \$172 filing fee (cashier's check or money order) in person or by mail at:

Clerk of Superior Court  
200 N. San Francisco St.  
Flagstaff, AZ 86001

You can also get a copy of the Complaint at that address.

After you file your Answer, you must mail or hand-deliver a copy of it to the Plaintiff.

If you do not file an Answer by this deadline, the court may issue a default judgment based only on the Plaintiff's Complaint and without your input.

Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advance of a scheduled court proceeding.

*Leave the rest of the form blank. This is for the court to fill in.*

SIGNED AND SEALED this date: \_\_\_\_\_

Clerk of Superior Court

By Deputy Clerk: \_\_\_\_\_

## INSTRUCTIONS: SERVING FORMS ON THE DEFENDANT

Where does the defendant live?	Serve the forms in one of these ways
In Arizona and not on an Indian Reservation	① ② or ③
Not in Arizona but in the U.S. and not on an Indian Reservation	① ② ③ or ④
On an Indian Reservation in the U.S.*	① ⑤ or ⑥
I don't know	⑦
Not in the U.S.	see an attorney

\*If the defendant lives on an Indian Reservation, there might be more options for service. An attorney can advise you.

- ① **Waiver of Service:** You ask the defendant to waive service so you don't have to pay to serve. See the forms and instructions for "Waiver of Service" in this packet.
- ② **Process Server:** You pay a process server to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.
- ③ **Sheriff:** You pay the sheriff to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.
- ④ **Certified Mail:** You send the forms to the defendant through certified mail. See the instructions and forms for "Service by Certified Mail" in this packet.
- ⑤ **Tribally Licensed Process Server:** You pay a tribally licensed process server to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.
- ⑥ **Service by Tribal Law Enforcement:** You pay tribal law enforcement to serve the forms. See the forms and instructions for "Service by Process Server, Sheriff, or Tribal Law Enforcement" in this packet.
- ⑦ **Service by Publication:** You pay a newspaper to publish a notice about the case. See the forms and instructions for "Service by Publication" in this packet.

## **INSTRUCTIONS: WAIVER OF SERVICE**

**STEP 1: FILL OUT THE NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS**

**STEP 2: FILL OUT THE WAIVER OF SERVICE OF SUMMONS**

**STEP 3: MAIL THE FOLLOWING TO THE DEFENDANT**

- ☐ Notice of Lawsuit and Request for Waiver of Service of Summons
- ☐ a copy of the Notice of Lawsuit and Request for Waiver of Service of Summons
- ☐ the 2-page Waiver of Service of Summons
- ☐ a copy of the Complaint
- ☐ a self-addressed stamped envelope

Keep a copy of everything for your records.

**STEP 4: IF THE DEFENDANT RETURNS THE SIGNED WAIVER OF SERVICE OF SUMMONS TO YOU WITHIN 30 DAYS:  
FILE THE WAIVER WITH THE COURT**

**STEP 5: IF THE DEFENDANT FAILS TO RETURN THE WAIVER TO YOU WITHIN 30 DAYS:  
YOU CAN TRY ONE OF THE OTHER WAYS TO SERVE THE FORMS**

Plaintiff's Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**COCONINO COUNTY SUPERIOR COURT**

Plaintiff's Name: \_\_\_\_\_ Case Number: CV \_\_\_\_\_

\_\_\_\_\_  
Defendant's Name:

**NOTICE OF LAWSUIT AND**  
**REQUEST FOR WAIVER OF**  
**SERVICE OF SUMMONS**

\_\_\_\_\_  
To the Defendant:

A lawsuit has been commenced against you (or the entity on whose behalf you are addressed). A copy of the Complaint is attached to this Notice. The Complaint has been filed in the Coconino County Superior Court.

This is not a formal summons or notification from the Court, but rather my request that you sign and return the enclosed Waiver of Service in order to save the cost of serving you with a judicial summons and an additional copy of the Complaint. The cost of service will be avoided if I receive a signed copy of the waiver within 30 days after the date designated below as the date on which this Notice of Lawsuit and Request for Waiver of Service of Summons is sent. I enclose a stamped and addressed envelope (or other means of cost-free return) for your use. An extra copy of the Waiver of Service is also attached for your records.

If you comply with this request and return the signed Waiver of Service, the waiver will be filed with the Court and no summons will be served on you. The action will then proceed as if you had been served on the date the waiver is filed, and you will be required to answer or otherwise respond to the Complaint within 60 days from the date designated below as the date on which this notice is sent.

If you do not return the signed waiver within the time indicated, I will take appropriate steps to effect formal service in a manner authorized by the Arizona Rules of Civil Procedure and then, to the extent authorized by those Rules, I will ask the Court to require you (or the party on whose behalf you are addressed) to pay the full costs of such service. In that connection, please read the statement concerning the duty of parties to avoid unnecessary costs of service of summons, which is set forth on the reverse side (or at the foot) of the enclosed "Waiver of Service of Summons" form.

I affirm that this Notice of Lawsuit and Request for Waiver of Service of Summons is being sent to you on behalf of the Plaintiff on the date indicated below.

NOTICE AND REQUEST SENT this date: \_\_\_\_\_

My Signature: \_\_\_\_\_

Plaintiff's Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**COCONINO COUNTY SUPERIOR COURT**

Plaintiff's Name: \_\_\_\_\_ Case Number: CV \_\_\_\_\_

\_\_\_\_\_ **WAIVER OF SERVICE OF SUMMONS**

Defendant's Name: \_\_\_\_\_  
\_\_\_\_\_

To the Plaintiff:

I acknowledge receipt of your request that I waive service of a Summons in this action. I also have received a copy of the Complaint in the action, two copies of this waiver, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a Summons and an additional copy of the Complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by the Arizona Rules of Civil Procedure.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after (*enter the date you will mail the Notice and Request*) \_\_\_\_\_.

*This is for the defendant to sign.*

Date: \_\_\_\_\_ Defendant's Signature: \_\_\_\_\_



### ***DUTY TO AVOID UNNECESSARY COSTS OF SERVICE OF SUMMONS***

*Rule 4.1 and Rule 4.2 of the Arizona Rules of Civil Procedure require certain parties to cooperate in saving unnecessary costs of service of the summons and a pleading. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.*

*It is not good cause for a failure to waive service that a party believes that the Complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.*

*A defendant who waives service must, within the time specified on the waiver form, serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the Complaint and also must file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.*

**INSTRUCTIONS: SERVICE BY PROCESS SERVER, SHERIFF, OR TRIBAL LAW  
ENFORCEMENT**

**STEP 1: FIND A PROCESS SERVER, SHERIFF, OR TRIBAL LAW  
ENFORCEMENT OFFICER**

Find a process server in the county where the defendant lives. Process servers are listed in the Yellow Pages. If the defendant lives on an Indian Reservation, find a tribally licensed process server in the tribe's phonebook or through tribal law enforcement.

OR

Find the sheriff's office in the county where the defendant lives or the tribal law enforcement office on the Indian Reservation where the defendant lives. They should be listed in the government pages of the phonebook. The Coconino County Sheriff's Office is at 911 E. Sawmill Rd., Flagstaff, AZ 86004, 928-774-4523 or 800-338-7888.

**STEP 2: CALL THE PROCESS SERVER, SHERIFF, OR TRIBAL LAW  
ENFORCEMENT OFFICER**

Have your Complaint in front of you. Ask the following questions.

- ☐ How much do you charge for service of process?
- ☐ Do I pay up front, or will you bill me?
- ☐ Do you file the Affidavit of Service with the court and mail me a copy, or do I need to file it myself? (Once the papers are served on the defendant, an Affidavit of Service must be filed with the court. The process server, sheriff, or tribal law enforcement officer will write the Affidavit of Service. Some will file it with the court and mail you a copy; others will mail you the original to file yourself.)

If you have a fee waiver or deferral and are using tribal law enforcement or a sheriff's office in a county other than Coconino, also ask the following:

- ☐ Do you accept fee waivers or deferrals from Coconino County?

**STEP 3: FILL OUT THE LETTER: SERVICE BY PROCESS SERVER, SHERIFF,  
OR TRIBAL LAW ENFORCEMENT**

**STEP 4: MAIL OR HAND-DELIVER THE FOLLOWING TO THE PROCESS  
SERVER, SHERIFF, OR TRIBAL LAW ENFORCEMENT OFFICER**

- ☐ Letter: Service by Process Server, Sheriff, or Tribal Law Enforcement
- ☐ One of the following:
  - ☐ the fee, if required
  - ☐ a certified copy of the court order waiving or deferring fees
- ☐ The original Summons
- ☐ A copy of the Complaint

[ ] A copy of the Certificate on Compulsory Arbitration

Keep copies of everything for your records.

**STEP 5: MAKE SURE THE AFFIDAVIT OF SERVICE IS FILED WITH THE COURT**

**If you were told in Step 2 that the process server, sheriff, or tribal law enforcement officer will file the Affidavit with the court:** Wait for them to mail you a copy of the Affidavit stamped with the date it was filed. Keep in touch with them to make sure the Affidavit is filed.

**If you were told in Step 2 that you must file the Affidavit with the court:** Wait for the process server, sheriff, or tribal law enforcement officer to mail you the original Affidavit. Then file it with the court.

**LETTER: SERVICE BY PROCESS SERVER, SHERIFF, OR TRIBAL LAW  
ENFORCEMENT**

My Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Date: \_\_\_\_\_

Sheriff of the County of *(if serving by sheriff)*: \_\_\_\_\_  
Process Server's Name *(if serving by process server)*: \_\_\_\_\_  
Tribal Law Enforcement of *(if serving by tribal law enforcement)*: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

Re: Name of Person to Be Served: \_\_\_\_\_  
Court Case Number: CV \_\_\_\_\_

To whom it may concern:

Please find enclosed the Summons and a copy of the Complaint and Certificate on Compulsory Arbitration to be served on the defendant in this court case.

**Details about the defendant:**

During the workday, the defendant can usually be found at: ☐ Home ☐ Work ☐ Other

Home Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

Work Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

Other Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Or other description of location: \_\_\_\_\_

**Physical Description:**

Sex	Race	Birth	Height	Weight	Eyes	Hair	SSN
Additional Description:							

Description of the Defendant's Vehicle:

Make	Model	Year	Color
Additional Description:			

- ☐ I enclose \$\_\_\_\_\_ in payment for service of process.
- ☐ I understand I will be billed for service of process.
- ☐ I enclose a certified copy of a court order waiving or deferring the fee.

Please note that each document served must be named in the Affidavit of Service.

Thank you for your assistance.

My Signature: \_\_\_\_\_

## **INSTRUCTIONS: SERVICE BY CERTIFIED MAIL**

### **STEP 1: SEND THE FOLLOWING TO THE OTHER PARTY THROUGH CERTIFIED MAIL**

- ☐ the Summons
- ☐ a copy of the Complaint
- ☐ a copy of the Certificate on Compulsory Arbitration

Take the forms to the post office. Ask to have them mailed “certified mail, restricted delivery to the addressee, with a return receipt”.

### **STEP 2: THE POSTAL SERVICE WILL RETURN THE SIGNED RECEIPT (A GREEN CARD) TO YOU**

### **STEP 3: FILL OUT THE AFFIDAVIT OF SERVICE BY CERTIFIED MAIL**

### **STEP 4: FILE THE FOLLOWING WITH THE COURT**

- ☐ Affidavit of Service by Certified Mail with the following attached:
  - ☐ A copy of the green card

Person Filing: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO**

Plaintiff's Name: \_\_\_\_\_ Case Number: CV \_\_\_\_\_

\_\_\_\_\_  
**AFFIDAVIT OF SERVICE BY**  
**CERTIFIED MAIL**  
Defendant's Name: \_\_\_\_\_

\_\_\_\_\_  
The defendant lives outside of Arizona. I mailed the defendant a copy of the Summons, Complaint, and Certificate of Compulsory Arbitration in this case through certified mail with delivery restricted to the defendant. The defendant received the forms on this date: \_\_\_\_\_. I received the return receipt on this date: \_\_\_\_\_. I'm attaching a copy of the return receipt.

My Signature: \_\_\_\_\_

State of Arizona )

)

County of \_\_\_\_\_ )

Subscribed and sworn before me this date: \_\_\_\_\_ by: \_\_\_\_\_

Seal: \_\_\_\_\_

Notary Public: \_\_\_\_\_

Notary Expiration Date: \_\_\_\_\_

## **INSTRUCTIONS: SERVICE BY PUBLICATION**

### **STEP 1: TRY TO FIND THE DEFENDANT**

Before serving by publication, the law requires you to make a diligent effort to find the defendant, including such means as:

- ☐ Asking for the defendant's whereabouts from his/her co-workers, friends, and relatives
- ☐ Examining phone company records
- ☐ Examining utility company records
- ☐ Examining records kept by the county treasurer
- ☐ Examining records kept by the county recorder or similar agency
- ☐ Employing companies that do computer searches to help you locate the defendant if you know the defendant's date of birth and/or social security number

**If you find the party:** You must use one of the other service methods.

### **STEP 2: FIND A NEWSPAPER**

**If the defendant's last known address is in Coconino County:** Publish in a newspaper in Coconino County.

**If the defendant's last known address is in Arizona but not in Coconino County:** Publish in 1) a newspaper in Coconino County and 2) a newspaper in the county of the defendant's last known address.

**If the defendant's last known address is outside of Arizona:** Publish in a newspaper in Coconino County.

If there is no newspaper in the county where you need to publish, publish in a newspaper in a neighboring county. Newspapers are listed in the Yellow Pages. The phone number for the *Arizona Daily Sun* in Coconino County is 928-556-2280.

### **STEP 3: CALL THE NEWSPAPER(S)**

Tell them you need to publish a Summons once a week for four weeks in a row. Ask these questions:

- ☐ How much will the publication cost?
- ☐ Will the newspaper prepare and mail you a publisher's affidavit? (Most papers do this automatically; all papers will do this at your request.)
- ☐ Will the newspaper mail you a copy of the legal notice? (Most papers do not do this automatically; *some* papers will do this at your request.)

### **STEP 4: FILL OUT THE LETTER: SERVICE BY PUBLICATION**



**STEP 5: MAIL OR HAND-DELIVER THE FOLLOWING TO THE NEWSPAPER(S)**

- ☐ Letter: Service by Publication
- ☐ A copy of the Summons
- ☐ One of the following:
  - ☐ a check or money order for the cost of publication
  - ☐ a certified copy of the Order from the court waiving the publication costs

Keep a copy of everything for your records.

**STEP 6: WAIT FOR THE LEGAL NOTICE TO BE PUBLISHED**

If the newspaper(s) said in Step 3 that they would not mail you a copy of the notice, or if you do not receive a copy of the notice by the last date of publication, get the newspaper(s) on that day, cut out your notice, and make a copy of it.

**STEP 7: AFTER THE LAST DATE OF PUBLICATION:  
FILL OUT THE AFFIDAVIT OF SERVICE BY PUBLICATION**

**STEP 8: FILE THE FOLLOWING WITH THE COURT**

- ☐ Affidavit of Service by Publication with the following attached:
  - ☐ The original publisher's affidavit from each newspaper
  - ☐ One copy of each newspaper's notice

**LETTER: SERVICE BY PUBLICATION**

My Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Date: \_\_\_\_\_

Name of Newspaper: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Re: Case Number: CV \_\_\_\_\_

To Whom It May Concern:

I am enclosing a copy of the Summons in this court case. Please publish a notice about this case once a week for four weeks in a row. I also enclose the following:

[ ] A check or money order for \$\_\_\_\_\_ for the cost of the publication

[ ] A certified copy of the Order from the court waiving the publication costs

Please call me at the number above to tell me when the first publication will happen. When all four weeks of publication have been completed, please send me the original publisher's affidavit.

Thank you,

My Signature: \_\_\_\_\_

Plaintiff's Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone Number: \_\_\_\_\_  
Representing Self \_\_\_\_\_

**SUPERIOR COURT OF ARIZONA, COUNTY OF COCONINO**

Plaintiff's Name: \_\_\_\_\_ Case Number: CV \_\_\_\_\_

\_\_\_\_\_  
**AFFIDAVIT OF SERVICE BY**  
**PUBLICATION**  
Defendant's Name: \_\_\_\_\_

Service by publication is the best way to notify the defendant of this case because I don't know where the defendant lives. I have not mailed the defendant copies of the court forms. As far as I know, the defendant is not in U.S. military service. Here's what I did to try to find the defendant:

\_\_\_\_\_  
I had the Summons published in the following newspaper(s):

Name of Newspaper	Name of County in Arizona

once a week for four weeks in a row, on the following dates:

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_

Each publisher's affidavit and a copy of the notice as published are attached.

Petitioner's Signature: \_\_\_\_\_

State of Arizona )  
County of \_\_\_\_\_ )

Subscribed and sworn before me this date: \_\_\_\_\_ by: \_\_\_\_\_

Seal: \_\_\_\_\_ Notary Public: \_\_\_\_\_  
Notary Expiration Date: \_\_\_\_\_